



February 4, 2005

SENATE BILL No. 362

DIGEST OF SB 362 (Updated February 3, 2005 12:08 pm - DI 110)

Citations Affected: IC 27-2.

Synopsis: Notice of existence of insurance policy. Requires certain insurers to notify enforcement authorities in a second class city concerning the existence of coverage for a building or structure that is located in the city and damaged by fire or explosion.

Effective: July 1, 2005.

Broden, Clark

January 11, 2005, read first time and referred to Committee on Insurance and Financial Institutions.
February 3, 2005, reported favorably — Do Pass.

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SB 362—LS 7654/DI 97+



February 4, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

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SENATE BILL No. 362

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 27-2-15-4.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4.5. (a) As used in this
3 section, "city" refers to a **second class city** ~~having a population of~~
4 ~~more than thirty-five thousand (35,000)~~ **that is located in a county**
5 ~~having a population of more than four hundred thousand (400,000) but~~
6 ~~less than seven hundred thousand (700,000).~~
7 (b) An insurer that issued an insurance policy covering a building
8 or other structure that is:
9 (1) located in a city; and
10 (2) damaged by a fire or explosion;
11 shall notify the enforcement authority of the city about the existence of
12 the policy. However, an insurer is not required to notify the
13 enforcement authority under this section if the policy issued by the
14 insurer is not in effect at the time of the fire or explosion that damages
15 the building or structure.
16 (c) The insurer shall provide the notice required under this section
17 if the enforcement authority makes a request for the notice within

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- 1 twenty (20) days after the damage occurs.
2 (d) The notice required by this section must:
3 (1) be in writing;
4 (2) identify the insurer and state the insurer's address;
5 (3) identify the building or structure and state the location of the
6 building or structure; and
7 (4) disclose the nature and extent of the coverage of the building
8 or structure provided by the policy.
9 (e) An insurer shall provide notice to the enforcement authority
10 under this section within ten (10) days after the insurer is notified
11 under subsection (c) of the damaging of the building or structure by fire
12 or explosion.
13 (f) The commissioner may take action under IC 27-1-3-10 and
14 IC 27-1-3-19 against an insurer that violates this section.

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SENATE MOTION

Madam President: I move that Senator Clark be added as second author of Senate Bill 362.

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COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill No. 362, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 362 as introduced.)

PAUL, Chairperson

Committee Vote: Yeas 10, Nays 0.

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